

Amendment 97

Contract No. 229944

To the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System

This Amendment 97 to the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System is entered into this 19TH day of NOVEMBER, 2010, by and between ERG Transit Systems (USA) Inc, a California corporation and wholly owned subsidiary of Vix-ERG Limited, an Australian corporation, (hereinafter referred to as the "Contractor") and each of the following seven public transportation agencies (hereinafter referred to individually as an "Agency" or collectively as the "Agencies"):

1. Central Puget Sound Regional Transit Authority ("Sound Transit")
2. King County ("King County")
3. Kitsap County Public Transportation Benefit Area ("Kitsap Transit")
4. Pierce County Public Transportation Benefit Area ("Pierce Transit")
5. Snohomish County Public Transportation Benefit Area ("Community Transit")
6. City of Everett ("Everett")
7. State of Washington, acting through the Washington State Department of Transportation, Washington State Ferries Division ("WSF")

Recitals

- A. Effective April 29, 2003, each of the Agencies and the Contractor entered into Contract #229944 ("Contract") to implement a Regional Fare Coordination System ("RFC System") to establish a common fare system utilizing smart card technology. The Contractor is responsible for the development, implementation, operation and maintenance of the RFC System as specified in the Contract.
- B. The Agencies and the Contractor desire to amend Section VI of Exhibit 9, Price Schedule Special Programs, to compensate ERG for the work necessary to produce the On Board Equipment (OBE) installation guidelines (i.e. a Site Survey) and associated system documentation for Sound Transit's (ST) Modified New Flyer bus type. These buses are operated on contract for ST by Community Transit. This work is performed per CR-002540 *CT-ST Site Survey for Modified New Flyer Bus*.
- C. The Parties agree that the Work necessary to complete the Site Survey and associated documentation for ST will be performed and compensated as described below.

Agreement

Section 1.0 Description of Work

1.1 The Contractor will perform the work necessary to:

- (a) Evaluate the Modified New Flyer bus to produce OBE installation procedures. ERG will determine the mounting locations and methods for the equipment that will be installed on the bus. ERG will determine cable routes, locations of circuit breakers and other installation accessories.
- (b) Produce new system documentation. The Contractor has identified the documentation as CDRL 13 CT Installation Procedure –New Flyer 2010.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Contract as follows:

Section 2.0 Compensation Changes

Section VI (Implementation) of Exhibit 9, Price Schedule, is hereby amended to read as follows:

VI. IMPLEMENTATION

SPECIAL PROGRAMS

LUMP SUM COST

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To perform the work necessary to produce a Site Survey for ST's New Flyer bus type and associated system documentation for CT (who operates the service on contract for ST).	
TOTAL	\$3660

Section 3.0 Other Terms and Conditions

All other provisions of the Contract not referenced in this Amendment Ninety-seven shall remain in effect.

IN WITNESS WHEREOF, authorized representative of the Agencies and the Contractor have signed their names in the spaces provided below.

ERG Transit Systems (USA) Inc.

The Agencies

By: _____

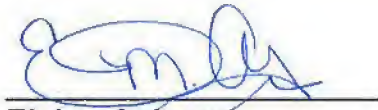
Its: _____

Date: _____

By: _____


Candace Carlson
Their: *ORCA Operations Manager*
On behalf of the Agencies
Date: *November 19, 2010*

Signed by ERG Transit Systems (USA) Inc by its attorney Elaine Aulgur pursuant to Power of Attorney dated 18 June 2010:


Elaine Aulgur

11/18/10
Date

In the presence of:


Witness Signature

11/18/10
Date

Witness name: *Patty Hazard*